

1
2
3 UNITED STATES DISTRICT COURT
4 NORTHERN DISTRICT OF CALIFORNIA
5

6 NELSON MOLINA,

7 Plaintiff(s),

No. C 06-4742 PJH

8 v.

ORDER OF DISMISSAL

9 CITY OF SAN RAFAEL, et al.,

10 Defendant(s).
11 _____ /

12 Counsel for plaintiff, having advised the court in writing that the parties have agreed
13 to a settlement of this cause, IT IS HEREBY ORDERED that this cause of action is
14 dismissed **without** prejudice; provided, however that if any party hereto shall certify to this
15 court, within sixty (60) days, with proof of service thereof, that the agreed consideration for
16 said settlement has not been delivered over, the foregoing order shall stand vacated and
17 this cause shall forthwith be restored to the calendar to be set for trial.
18

19 The parties may substitute a dismissal **with** prejudice simply by submitting a
20 stipulation and order for dismissal with prejudice within sixty (60) days.
21

22 The pretrial and trial dates are hereby VACATED.
23

24 IT IS SO ORDERED.
25

26 Dated: January 8, 2008
27

28 

PHYLLIS J. HAMILTON
United States District Judge